

**REMARKS**

**Summary of the Office Action**

The disclosure is objected to because the specification contains embedded hyperlinks.

Claims 11, 22, 33 and 49 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Claims 1-13 and 28-40 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* (U.S. Patent Pub. No. 2002/0052806) in view of *Fischer* (U.S. Patent Pub. No. 2002/0010638).

Claims 14-15, 19-27, 41-42 and 46-54 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* in view of *Fischer* as applied to claims 1-3, 5, 12, and further in view of *Lucas* (U.S. Patent Pub. No. 2001/0051905).

Claims 16-18 and 43-45 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* in view of *Fischer* as applied to claims 1-3, 5, 12, 14-15 and further in view of *Wong* (U.S. Patent No. 6,115, 690).

**Summary of the Response to the Office Action**

Applicant has amended the specification in accordance with the Examiner's comments. Also, Applicant has amended claims 11, 22, 33 and 49 that stand rejected under 35 U.S.C. § 112, second paragraph. Moreover, Applicant has added a new claim 55. Accordingly, claims 1-55 are pending for further consideration.

**Specification**

The disclosure is objected to because the specification contains embedded hyperlinks. Applicant has deleted these embedded hyperlinks in accordance with the Examiner's comments set forth on Section 1, Page 2 of the Office Action. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

**The Rejection under 35 U.S.C. §112, second paragraph**

The Office Action rejects claims 11, 22, 33 and 49 under 35 U.S.C. §112, second paragraph, as containing the phrase "and/or." Applicant has amended claims 11, 22, 33 and 49 by changing the phrase "and/or" to "or" in accordance with the Examiner's comments set forth in Section 1, Page 2 of the Office Action. Accordingly, it is respectfully requested that the rejection of claims 11, 22, 33 and 49 under 35 U.S.C. §112, second paragraph, be withdrawn.

**The Rejections under 35 U.S.C. § 103(a)**

Claims 1-13 and 28-40 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* in view of *Fischer*, claims 14-15, 19-27, 41-42 and 46-54 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* in view of *Fischer* as applies to claims 1-3, 5, 12, and further in view of *Lucas*, and claim 16-18 and 43-45 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* in view of *Fischer* as applies to claims 1-3, 5, 12, 14-15 and further in view of *Wong*.

With regard to independent claim 1, Applicant respectfully submits that neither *Hodson et al.* nor *Fischer*, whether taken individually or in combination, teach or suggest the claimed combination, including at least the recited feature of "upon receipt of a selection of a vendor, the

web site sending the computing device that vendor's list of approved products corresponding to the selected department or category."

The Office Action alleges that a combination of *Hodson et al.* and *Fischer* teaches the present invention of independent claims 1 and 28. However, the Office Action concedes that *Hodson et al.* "does not explicitly disclose (d) upon receipt of a selection of a vendor, the web site sending the computing device that vendor's list of approved products corresponding to the selected department or category." The Office Action relies upon *Fischer* to teach "this feature [Abstract; Figure 2; page 1 para. 0005, page 2 para. 0017, 0002] to establish a real-time connection with a vendor for the purpose of purchasing products and/or services from the vendor." The Office Action goes on to allege that "it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of *Hodson* and include sending vendor list of approved products for selected user (entity of group of entities) to vendor, as disclosed by *Fischer*, to purchase an approved product or service." Applicant respectfully disagrees.

The cited portion of *Fischer* merely disclose creating an order list in an **off-line** environment, sending an order list to the vendor. To complete the order, the user has to log onto a site operated by the vendor. In particular, as described in Paragraph [0019] of *Fischer*, "the user creates an order off-line using any suitable off-line technique or tool, such as by a word processing program or an e-mail program on the user's computer," and "[t]he order will typically include a list of items that the user desires to purchase or otherwise receive from a vendor." In contrast to the present invention of independent claim 1, *Fischer* neither teaches nor suggests an **on-line** order process including that the web site supplies the computing device with the vendor's list of approved products for creating an order list. In other words, Applicant respectfully

submits that *Fischer* neither teaches nor suggests at least the feature of “upon receipt of a selection of a vendor, the web site sending the computing device that vendor’s list of approved products corresponding to the selected department or category,” as recited by independent claim 1.

For similar reasons, Applicant respectfully submits that that *Hodson et al.* and *Fischer*, whether taken individually or in combination, do not teach or suggest the claimed combination, including at least the recited feature of “upon receipt of a selection of a vendor, the web site sending the buyer that vendor’s list of approved products corresponding to the selected department or category,” as recited by independent claim 28.

The Office Action does not rely upon *Lucas* and *Wong* to cure any aspect of the above-noted deficiencies of *Hodson et al.* and *Fischer*. Also, Applicant respectfully submits that *Lucas* and *Wong* cannot remedy the deficiencies of *Hodson et al.* and *Fischer*.

Therefore, for at least the reasons set forth above, Applicant respectfully asserts that the rejections of independent claims 1 and 28 under 35 U.S. C. § 103(a) should be withdrawn because the cited references, whether taken individually or in combination, do not teach or suggest at least the above cited features. As pointed out in MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).” Furthermore, Applicant respectfully asserts that the rejections of dependent claims 2-27 and 29-54 under 35 U.S. C. § 103(a) should also be withdrawn at least because of their dependencies upon the respective independent claims 1 and 28 and for the reasons set forth above.

**New Claim 55**

Applicant has added new claim 55 to further define the invention. Applicant respectfully submits that new claim 55 is allowable over the prior art of record based on the reasons set forth above.

With no other rejection pending, Applicant respectfully submits that claims 1-55 are in condition for allowance.

**Conclusion**

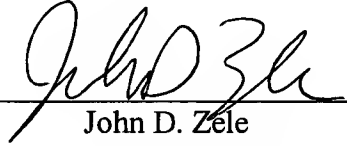
In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
John D. Zele  
Reg. No. 39,887

Dated: June 22, 2005

**Customer No.: 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
202-739-3000 (Phone)  
202-739-3001 (Fax)